

SENATE BILL 1171

By Berke

AN ACT to amend Tennessee Code Annotated, Title 55,
Chapter 8, relative to rules of the road.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-8-136, is amended by deleting subsection (b) in its entirety and by substituting instead the following language:

(b) Notwithstanding any speed limit or zone in effect at the time, or right of way rules that may be applicable, every driver of a vehicle shall exercise due care by operating the vehicle at a safe speed, by maintaining a safe lookout, by keeping the vehicle under proper control and by devoting full time and attention to operating the vehicle, under the existing circumstances as necessary in order to be able to see and to avoid endangering life, limb or property and to see and avoid colliding with any other vehicle or person, or any road sign, guard rail or any fixed object either legally using or legally parked or legally placed, upon any roadway, within or beside the roadway right of way including, but not limited to, any adjacent sidewalk, bicycle lane, shoulder or berm.

SECTION 2. Tennessee Code Annotated, Section 55-8-197(a), is amended by adding the following language as new, appropriately designated subdivisions:

(4) Section 55-8-134, by failing to yield the right of way to pedestrians in crosswalks as provided in the section;

(5) Section 55-8-136, by failing to exercise due care as provided in this section;

or

(6) Section 55-8-175(c), by failing to overtake and pass a bicycle safely as provided in the subsection; or

SECTION 3. Tennessee Code Annotated, Section 55-8-197(a), is further amended by deleting the language “Any person who violates subdivisions (a)(1)-(3)” in its entirety and by substituting instead the language “Any person who violates subdivisions (a)(1)-(6).”

SECTION 4. This act shall take effect July 1, 2011, the public welfare requiring it.